

**Town of Urbana
Planning Board Minutes
June 7, 2010**

Board Present	Randy Robinson	Chairman
	Betty Fitzpatrick	Board Member
	Norm Hann	Board Member
	Andy Mazzalla	Board Member
	Carly McConnell	Recording Secretary
Public Present	Ray & Wilma Poehlen	Peter Baker
	Pete & Judy Swarthout	Delia Stull

Regular Meeting: Opened 7:10PM

- A. Minutes
 - a. Minutes from the special meeting on April 7, 2010 and the regular meeting on May 3, 2010 will be reviewed at the next regular meeting.
- B. New Business:
 - a. Subdivision
 - i. Peter & Judy Swarthout Application #2010-042 & Ernst Lowe Application #2010-043. Both applications are conditional upon simultaneous approval. Mr. & Mrs. Swarthout were present to represent themselves and Attorney Baker was present to represent Mr. Lowe. Lot size of .020 acres on the Swarthout survey is to be annexed to the Lowe's. A lot size of .178 acres on the Lowe survey is to be annexed to the Swarthout property. The Board held a discussion with Mr. & Mrs. Swarthout and Attorney Baker. Both applications have been declared a minor subdivision. A public hearing will be held at the next regular meeting for both applications.
- C. ZBA: In reaching the following decision and recommendation, the Planning Board considered the five factors which the Zoning Board of Appeals must consider.
 - a. James & Karen Estep
 - i. Findings:
 - 1. The construction would likely not produce an undesirable change in the character of the neighborhood.
 - 2. An alternative to zoning relief is possible through an addition of a second story; the applicants have explored this possibility.
 - 3. The area relief is considered substantial. The applicant has proposed increasing the lot coverage from the maximum of 25% to 38%.
 - 4. There would likely be no adverse impact on the physical and environmental conditions in the neighborhood.
 - 5. The difficulty is self-created. The applicant of the property proposes the current structure with full knowledge of the zoning requirements.
 - ii. Decision: While balancing the interests of the applicant and the neighborhood, the Planning Board concludes the following:
 - 1. Three of the five criteria for granting an area variance are affirmative. The Zoning Board of Appeals should defer to their independent analysis, the Planning Board's review, public input, and past history at this location in deciding to grant or deny the request.

b. Michael Campanelli

i. Findings:

1. The construction of the proposed driveway would produce an undesirable change in the character of the neighborhood and would be a detriment to nearby properties. A zero setback is completely unacceptable.
2. An alternative to zoning relief is possible through a rescaling of the project.
3. The area relief is considered substantial. The applicant has proposed zero (0) setback on the eastern lot line, a 50% reduction on the western line and a 45% reduction of the northern line.
4. There would likely be a tremendous adverse impact on the physical and environmental conditions in the neighborhood. The applicant has proposed eliminating all current vegetation on a steep slope adjacent to the lake and replacing it with masonry material. No provisions for storm water run-off are presented.
5. The difficulty is self-created. The applicant of the property proposes the current structure with full knowledge of the zoning requirements.

ii. Decision: While balancing the interests of the applicant and the neighborhood, the Planning Board concludes the following:

1. All five criteria which must be considered are affirmative. Based on review of the attendant facts and circumstances; the Planning Board neither supports nor endorses variance relief being granted on any of the three requests.

c. Joseph Hillman

i. Findings:

1. The construction of the proposed structure would possibly produce a detriment to nearby properties. The proposed height of the structure may result in the project being “out of character for the neighborhood.” Limited precedents of 3.5 stories and 36.6’ high houses are documented on Keuka Lake.
2. An alternative to zoning relief is possible through a rescaling of the project to meet current zoning standards, lot dimensions, and limitations.
3. The area relief is considered substantial. The applicant has proposed a 47 % reduction of the front yard depth, ~28% increase in lot coverage.
4. There would likely be a partial adverse impact on the physical and environmental conditions in the neighborhood as a result of vegetative removal and construction operations.
5. The difficulty is self-created. The applicant of the property proposes the current structure with full knowledge of the zoning requirements.

ii. Decision: While balancing the interests of the applicant and the neighborhood, the Planning Board concludes the following:

1. All five criteria which must be considered are affirmative. The totality of the requests suggests this may be the wrong

scale project for this location. Based on review of the attendant facts and circumstances; the Planning Board neither supports nor endorses variance relief being granted on any of the four requests.

D. Old Business:

- a. Concept Review
 - i. Locey – No new submissions
 - ii. Campanelli – Chairman Robinson contacted the DOT and confirmed they only approved the cut in the guard rails and the area involving the road right-of-way, not the entire project.

E. Other:

- a. Ray Poehlin is concerned with marina plan at the Keuka Maid location. Mr. Poehlin feels like the Board is operating with out any plans. The Board held a discussion regarding this issue & understands the public's concerns. Mr. Mazzala proposed a resolution concerning these issues. The Board held a discussion regarding the resolution. Mr. Mazzala made a motion to forward the resolution to the Town Board. Seconded by Mrs. Fitzpatrick. Hann-aye, Fitzpatrick-aye, Mazzalla-aye, Robinson-aye.
- b. Douglas & Chad Robbins purchased property located at 268 ½ W. Lake Road. The were inquiring on the subdivision process.

F. Planning Issues:

- a. Due to the holiday. The next regular meeting will be held on July 12, 2010.

G. Motion to Adjourn:

- a. Mr. Mazzalla made a motion to adjourn the meeting. Seconded by Mr. Hann.
- b. Meeting adjourned at 9:56PM

Respectfully Submitted,

Carly McConnell
Recording Secretary